

Village of Lombard

*Village Hall
255 East Wilson Ave.
Lombard, IL 60148
villageoflombard.org*



Meeting Agenda

Thursday, May 5, 2011

7:30 PM

Village Hall Board Room

Village Board of Trustees

Village President: William J. Mueller

Village Clerk: Brigitte O'Brien

Trustees: Greg Gron, District One; Keith Giagnorio, District Two;

Zachary Wilson, District Three; Peter Breen, District Four;

Laura Fitzpatrick, District Five; and Bill Ware, District Six

I. Call to Order and Pledge of Allegiance

II. Roll Call

III. Public Hearings

IV. Public Participation

- [110264](#) Presentation to Trustee Dana Moreau
- [110255](#) Swearing-in Ceremony - Trustee Keith Giagnorio, Trustee Peter Breen and Trustee Laura Fitzpatrick
- [110258](#) Proclamation - German Foreign Exchange Students Day
- Attachments:** [procgermandexchangestudents2011.doc](#)

Recess

V. Roll Call

VI. Public Participation

- [110241](#) Proclamation - Lilac Time
- Attachments:** [proclilactime2011..doc](#)
- [110242](#) Proclamation - Arbor Day
- Attachments:** [procarborday2011.doc](#)
- [110243](#) Proclamation - National Public Works Week
- Attachments:** [procpw2011.doc](#)
- [110251](#) Proclamation - Municipal Clerks' Week
- Attachments:** [procclerksweek2011.doc](#)
- [110259](#) Proclamation - National Day of Prayer
- Attachments:** [procprayerday2011.doc](#)
- [110260](#) Proclamation - Motorcycle Awareness Month
- Attachments:** [procmotorcycle2011.doc](#)

VII. Approval of Minutes

VIII Committee Reports

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Community Relations Committee - Trustee Laura Fitzpatrick, Chairperson

Economic/Community Development Committee - Trustee Bill Ware, Chairperson

Environmental Concerns Committee - Trustee Dana Moreau, Chairperson

Finance Committee - Trustee Zachary Wilson, Chairperson

Public Works Committee - Trustee Greg Gron, Chairperson

Transportation & Safety Committee - Trustee Keith Giagnorio, Chairperson

Board of Local Improvements - Trustee Greg Gron, President

Community Promotion & Tourism - President William J. Mueller, Chairperson

Lombard Historical Commission - Clerk Brigitte O'Brien

IX. Village Manager/Village Board Comments

X. Consent Agenda

Payroll/Accounts Payable

- A. [110227](#) Approval of Accounts Payable
For the period ending April 22, 2011 in the amount of \$474,810.29.
- B. [110244](#) Approval of Village Payroll
For the period ending April 23, 2011 in the amount of \$809,577.81.
- C. [110245](#) Approval of Accounts Payable
For the period ending April 29, 2011 in the amount of \$1,055,644.06.

Ordinances on First Reading (Waiver of First Requested)

- D. [110215](#) PC 11-10: 1000 N. Rohlwing Road, Suite 13 (Continued from May 5, 2011)
Requests that the Village grant a conditional use, pursuant to Section 155.415 (C) (20) of the Lombard Zoning Ordinance, to allow outside service areas for outdoor dining for the subject property located within the B3PD Community Shopping Center Planned Development District. (DISTRICT #1)

Attachments: [apoletter.doc](#)
[cont memo.doc](#)
[Cover Sheet.doc](#)
[DAH referral memo.doc](#)
[PUBLIC NOTICE 11-10.doc](#)
[Referral Letter.doc](#)
[REPORT 11-10.doc](#)
[110215.pdf](#)
[Ordinance 6619.pdf](#)

Steven Brauer, 1000 N. Rohlwing Rd., Lombard, IL, presented the petition. He stated that they are seeking to have a 700 square foot outdoor dining area on the east side of the existing tenant space which would be used to serve lunch and dinner, weather permitting.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition. There was no one to speak in favor or against the petition.

Chairperson Ryan then requested the staff report.

Christopher Stilling, Assistant Director of Community Development, presented the report. He stated that subject property was annexed into the Village in 1990 associated with the approval of the Northgate Shopping Center development. In the late 1990s, the Northgate Theatres ceased operations. In 2003, an anchor tenant of the shopping center, Menard's, closed their operations within the center. Since then, the Menard's space has remained vacant. The theatre site received conditional use approvals for a teen club and a religious institution, but both closed in 2006. The planned development was established in 2006 (PC 06-18) in order to accommodate signage and landscaping modifications. The property is currently occupied by the anchor tenants of Harlem Furniture and Restaurant Depot, as well as smaller tenants, including the Brauer House Restaurant, occupying space at the southern end of the center.

The petitioner is proposing to construct a 700 square foot outdoor dining area on the east side of the existing tenant space. The dining area would consist of approximately eight (8) tables with four (4) chairs per table, for a total of thirty-two (32) seats. The dining area would be enclosed with a 4' high ornamental metal fence. The height and style of the fence proposed is consistent with other recently approved outdoor dining areas. The dining area would be covered by the existing canopy running along the east side of the tenant space.

There is an existing daycare facility in the tenant space directly north of the outdoor dining area. That facility did receive text amendment and conditional use approval to allow its operation until midnight (PC 03-35 and 03-36). The entrance is over 30' away from the outdoor dining area. The petitioner has agreed to install a privacy wall on the north side of the outdoor dining area, blocking the view to the daycare facility.

As noted in the comments by the Building Division, if the petition is approved, the plans will have to be revised to meet the Illinois Accessibility Code. Based on the dimensions shown, it appears that sufficient space is available to accommodate the required spacing. The petitioner has indicated that the hours of operation outside would be consistent with their current hours of operations

which are roughly 11AM -11PM, seven (7) days a week.

Staff finds the standards have been met and that the use is compatible with the Comprehensive Plan and surrounding land uses and therefore staff recommends approval of the conditional use subject to the conditions noted in the staff report.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweetser noted that condition #1 should be changed to reflect a total of 32 chairs if there was going to be 8 tables with 4 chairs each.

E. [110216](#)

PC 11-09: 717 E. Butterfield Road

Requests that the Village approve amendments to Ordinance 4497 as it relates to the Homestead Village Planned Development, located within the OPD Office District, Planned Development, and consisting of:

1. A planned development amendment with a use exception for drive-through and drive-in establishments/services in the O District;
2. A conditional use (per Section 155.412 (C)(1) of the Zoning Ordinance) to allow for a restaurant; and
3. A conditional use (per Section 155.412 (C)(1) of the Zoning Ordinance) to allow for an outside service/dining area; and
4. Site plan approval with the following deviations from the Lombard Sign Ordinance:
 - a. A deviation from Section 153.503 (B)(5)(b) to allow for a freestanding sign of sixty (60) square feet where a maximum of thirty (30) square feet is permitted;
 - b. A deviation from Section 153.503 (B)(5)(c) to allow for a freestanding sign of eight (8) feet in height where a maximum of six (6) feet in height is permitted;
 - c. A deviation from Section 153.503 (B)(5)(f) to allow for a freestanding sign to be set back less than ten (10) feet from the property line; and
 - d. A deviation from Section 153.503 (B)(12)(b) to allow for more than one wall sign per street front exposure. (DISTRICT #3)

Attachments: [APO Letter PC 11-09.doc](#)

[Cover Sheet.doc](#)

[DAH referral memo.doc](#)

[publichearingnot.doc](#)

[Referral Letter 11-09.doc](#)

[Report 11-09.doc](#)

[110216.pdf](#)

[Ordinance 6616.pdf](#)

Jason Hill, 1815 S. Meyers Road, Oakbrook Terrace, presented the petition and the proposed site plan. He stated that they wish to demolish the existing Taylor Brewing Company restaurant on the subject property and replace it with a similar restaurant use with an added drive-through facility. The building

configuration would be very similar to what exists today.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

Mike VanZandt, 1 Oakbrook Terrace, Oakbrook Terrace, stated that he represents the owner of the office building across Butterfield Road. They feel that the proposed restaurant would be inconsistent with the development of the surrounding area as there are no drive-through restaurants within 1-1/2 miles to the west or 2 miles east of the proposed site. In addition, their request for double the amount of signage allowed by code would not be an asset to the community and would adversely affect the appearance of the immediate area. He feels that the current owner could get a user with a more consistent operation than what is proposed.

Scott Patman, 5200 Buffington Road, Atlanta, GA, stated that Chick-fil-A has done a substantial amount of market research and has opened three stores in the area, with one additional store currently under construction. They feel it is the highest and best use for the property. The restaurant feels more like a sit-down restaurant than fast food, and they will offer both indoor and outdoor seating. The drive-through was designed so that it will not affect the outdoor dining experience, and Chick-fil-A believes it is very compatible with the surrounding area.

Chairperson Ryan then requested the staff report.

Jennifer Henaghan, Senior Planner, presented the staff report. Both the restaurant and outdoor dining component require conditional uses. Drive-throughs are not listed as permitted or conditional uses within the Office District, so a use exception to the Homestead Village Planned Development is required. The petitioner is also requesting signage relief for the proposed freestanding and wall signs.

There were numerous comments from Engineering, Building, and Fire of which the petitioner is aware. These comments will be addressed through the permit review process. The Comprehensive Plan recommends office land uses for the Homestead Village Planned Development. The proposed restaurant is consistent with this recommendation, as the Comprehensive Plan does not exclude non-office uses within general office areas and the proposed restaurant use is complementary to the office uses that are dominant in the overall Butterfield Road/22nd Street corridor. The subject property is compatible with the surrounding business uses. Restaurant uses are located along the Butterfield Road corridor, notably on the two properties immediately to the east of the subject property.

The Homestead Village Planned Development was approved by the Village in 1998 and included conditional use approval for two hotels, a restaurant, and off-site parking. In 2004, the Plan Commission granted site plan approval for the DuPage Medical Group Surgical Center at 2725 Technology Drive in place of the hotel that was originally approved for that property.

The proposed Chick-fil-A restaurant will be approximately 34 percent smaller than the existing restaurant building and will provide 12 percent more landscaped area. As with the current restaurant use, the proposed restaurant will make use of 54 off-site parking spaces on the adjacent Nicor parcel to the south. The proposed outdoor seating area will be physically separated from the

nearby parking, landscaping, and drive-through areas with an aluminum handrail. Although the current restaurant user does not offer outdoor dining, the Village has seen a trend toward restaurants offering this amenity and has recently granted a number of approvals in the area. Staff finds that, given the existing restaurant use on the site and the restaurant uses on the adjacent properties, the requested conditional uses for a restaurant and outdoor dining are appropriate at this location.

The Village's planned development requirements allow use exceptions for land uses that are not specifically provided for in the underlying zoning district, provided that three conditions are met. The proposed drive-through is a minor component of the overall planned development, representing roughly two percent of the entire Homestead Village Planned Development site area and 10 percent of the total floor area. The design of the drive-through isolates the associated traffic to the far northern portion of the site and also segregates the drive-through area from the main parking, access, and circulation areas for the proposed Chick-fil-A restaurant. These design factors make the drive-through more compatible with the surrounding properties and land uses. In addition, the Village's traffic consultant, KLOA, Inc., reviewed the internal circulation of the submitted site plan and recommended a number of modifications to the site plan to better guide traffic through the site. Provided that the petitioner includes the above recommendations regarding signage and striping, staff believes that the proposed-drive through meets the conditions for use exceptions.

The petitioner is proposing two identical freestanding signs that require relief for height and area. The requested relief is consistent with recent Village approvals for signage deviations for Office-zoned properties along Butterfield Road. In 2009, the Village approved deviations to allow the property at 555 E. Butterfield to have a 98-square foot, 20-foot high freestanding sign. More recently, the Village approved 60-square foot temporary signs for The Carlisle at 435 E. Butterfield Rd. The site conditions in this case are similar; therefore, staff is supportive of the requested variations. However, both proposed signs will need to be relocated outside of the recorded easement areas.

The petitioner is proposing a total of five wall signs totaling approximately 223 square feet, which is well below the total 596 square feet allowed by code. Historically, staff has supported signage deviations for the number of signs provided that the total square footage did not exceed that allowable by code. Several variations and/or deviations were recently granted in the area for the allowable number of wall signs. In this case, the siting of the building on the subject property provides for four "main" elevations, but with two frontages along public streets, the Sign Ordinance allows only two wall signs for this property. As customers will be viewing and accessing the site from multiple directions, staff feels that the location and design of the building warrant the need for additional wall signage.

Staff is recommending approval of this petition, subject to the conditions noted in the staff report.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Sweetser noted that the drive-through traffic would still need to exit through the main parking lot due to the location of the curb cut. Ms. Henaghan stated that KLOA had made a recommendation for additional signage to restrict the exiting drive-through traffic to the western drive aisle to

minimize the potential for conflicting vehicle movements.

- F. [110250](#) Amending Title 11, Chapter 121 of the Lombard Village Code Reflecting an increase to the public passenger licenses granting a license to Holiday Taxi & Limo Service.
Attachments: [Agenda Form 2.doc](#)
[ord taxi increase.doc](#)
[Memo New Taxi.doc](#)
[Ordinance 6617.pdf](#)
[110250.pdf](#)
- G. [110252](#) BOT 11-09: Alley Vacation and Granting of a Public Utility Easement - Maple/Chase/Highland (3/4 Vote of the Trustees Required - 5 of 6) Vacating the unimproved alley south of Maple Street between Chase Avenue and Highland Avenue and granting of a Public Utility Easement. (DISTRICT #5)
Attachments: [Cover Sheet.doc](#)
[DAH Memo.doc](#)
[Plat.pdf](#)
[110252.pdf](#)
[Ordinance 6618.pdf](#)

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

- H. [110254](#) Agreement with Lombard Firefighters Union
Approval of an Agreement between the Village of Lombard and IAFF Local 3009 Firefighter's Union.
Attachments: [Agenda Form Contract.doc](#)
[Fire contract memo to board.doc](#)
[RESfirecontract.doc](#)
[R 104-11.pdf](#)
[FD agreement 2011.pdf](#)
[110254.pdf](#)

Other Matters

- I. [110236](#) FY12 Bituminous Mix Purchase
Request for a waiver of bids and award of a contract to DuPage Materials Company in the amount of \$454,500. Public Act 85-1295 does not apply. (DISTRICTS - ALL)

Attachments: [110236 BOT 5-5-11.pdf](#)

- J. [110237](#) Staff is requesting the Finance Committee's approval of the recommendation to authorize the Director of Finance to sign an engagement letter with Lauterbach & Amen for Pension Fund Accounting Services for FY 2012-2014.

Attachments: [L&A Pension services proposal.pdf](#)

[Memo Pension Fund Accounting Services.doc](#)

[Pension Fund Accounting Services 12-14.doc](#)

[110237.pdf](#)

[Terms and Objectives.pdf](#)

Staff requested the Finance Committee's approval of the recommendation to the Village Board of Trustees to authorize the Director of Finance to sign an engagement letter with Lauterbach & Amen for Pension Fund Accounting Services for FY2012-2014. Tim Sexton provided an overview of the pension fund accounting services that are currently provided by L&A.

- K. [110239](#) Gasoline and Diesel Fuel Purchase
Request for a waiver of bids and award of a contract to Texor Petroleum in the amount of \$337,500.00. Public Act 85-1295 does not apply.

Attachments: [110239 BOT 5-5-11.pdf](#)

[PO #069823 HERITAGE FS.pdf](#)

- L. [110240](#) FY2011 Sewer Lining
Award of a contract to Insituform Technologies USA, Inc., the lowest responsible bid of two bidders, in the amount of \$53,317.50. Bid in compliance with Public Act 85-1295.

Attachments: [110240 BOT 5-5-11.pdf](#)

[Insituform Technologies.pdf](#)

- M.** [110246](#) Catch Basin Cleaning
Request for a waiver of bids and extension of a contract with National Power Rodding Corp. in the amount of \$50,000.00. Public Act 85-1295 does not apply.
Attachments: [110246 BOT 5-5-11.pdf](#)
- N.** [110247](#) Computer Software Purchase
Request for a waiver of bids and award of a contract to New World Systems for a Village-wide comprehensive software purchase. Public Act 85-1295 does not apply.
Attachments: [Standard Software license and services agreement.pdf](#)
 [Additional Software License Agreement.pdf](#)
 [110247.pdf](#)
- O.** [110248](#) Computer Network Equipment
Request for a waiver of bids and award of a contract to Dell Inc. for computer network equipment which includes a government discount. Public Act 85-1295 does not apply.
Attachments: [110248.pdf](#)
- P.** [110249](#) Microsoft Licensing
Request for a waiver of bids and award of a contract to Microsoft Licensing Products for costs associated with the Village-Wide Computer Software Purchase. Public Act 85-1295 does not apply.
Attachments: [110249.pdf](#)
- Q.** [110200](#) Kiwanis House Walk Signage
Request for use of the public right-of-way for temporary signage.
Attachments: [110200.pdf](#)
- R.** [110209](#) Grant Application for 2011 Taste of Lombard
Request from the Lombard Jaycees for \$30,000 from Hotel/Motel funds for costs associated with the Taste of Lombard fireworks.
Attachments: [2011 Taste of Lombard Grant Request.doc](#)
 [ComProm2011TasteBudget.pdf](#)
 [110209.pdf](#)

Adam Eakins was in attendance at the meeting to answer questions on the Lombard Jaycees request for \$30,000 to be used for the fireworks at the 2011 Taste of Lombard. Eakins reported that he has been involved with this event for 16 years and as this year's chair, he promises a bigger and better event than ever before. Dan Piper is also a co-chairman of this year's event. Eakins asked for one change in the submitted grant application-the number of officers to be utilized at the park for each day. He inadvertently inserted numbers in those places and asked for them to be changed to zeros as the number of officers required would be up to the Lombard Police Department. The event budget was distributed to committee members. This year they will be charging \$3 each for entrance into the event, for all people over 10 years old. Under 10 are free. Their projection is a total of

27,000 people. This money is earmarked to repay the Village. Eakins also indicated that he is working with vendors to get the best possible prices on items needed. President Mueller asked if there would be wristbands this year and Eakins indicated that no wrist bands will be utilized. Eakins added that the Library will be doing story time this year and the entertainment line-up should be revealed soon. Ed Murphy questioned where the admission cost was figured into the budget and Eakins said that it wasn't included as it is not part of the profits the Jaycees will gain from the event as it is going back to the Village. President Mueller asked for a motion. A motion was made by Ed Murphy to recommend to the Village Board that a grant in an amount not to exceed \$30,000 be awarded to the Lombard Jaycees for costs associated with the fireworks for the Taste of Lombard. The motion was seconded by Rosalie Loeding. Motion carried unanimously.

S. [110214](#) Grant Application for Elmhurst Symphony Association
Request for \$15,000 from Hotel/Motel funds for costs associated with marketing, promotions & symphony performances at Glenbard East.

Attachments: [2011 Elmhurst Symphony Grant Request.docm](#)
[ComPromElmSymBudget.pdf](#)
[110214.pdf](#)

A grant request was submitted from the Elmhurst Symphony Association for costs associated with putting on a symphony concert at Glenbard East High School with the symphony members and the student orchestra members. Cynthia Kranz was on hand from the ESO to answer questions of the requested \$15,000 grant. The grant would be used for marketing and other costs incurred with putting on the concert in Lombard. Kranz mentioned that it was the 50th anniversary year for the ESO and that they would love to be able to perform the concert in Lombard to complement their other concert in Elmhurst. President Mueller added that Village Manager indicated that there were funds available if the committee indicated that this expenditure was something they would support. The Glenbard East H.S. Concert would be what is known as a "side by side" concert whereby the students played alongside their symphony counterparts. Kranz also indicated that they are extending an invitation to Glenbard East alumnus Dan Tani to guest conduct one of the numbers as the concert will be themed around "Star Wars." Rosalie Loeding questioned why we would pay the musicians? Kranz answered that each concert is a stand alone and they need sponsors for each one to compensate the musicians. Ed Murphy praised the idea of the concert but questioned whether or not this was the correct funding source. President Mueller indicated that this would be the only funding available for this event. He also added that from past experience, many people come from surrounding communities to Lombard for concerts, dinner, etc., spending their money in Lombard. Rosalie Loeding approved of any type of cultural events in Lombard and stated that it is why people visit other communities. A motion was made by Rosalie Loeding, seconded by Ed Murphy to recommend a grant in an amount not to exceed \$15,000 for Elmhurst Symphony Association to support the side by side concert at Glenbard East High School. The motion carried unanimously.

T. [110256](#) Village Board Policy

Approving a Communications Response Policy for the Village Board Policy Manual as revised.

Attachments: [110256.pdf](#)

[boardpolicycommunicationsrevised5172011.doc](#)

[submitvillageboardpolicycommunicationsb.doc](#)

[dahcommunicationspolicyrevised5172011.doc](#)

XI. Items for Separate Action

Ordinances on First Reading (Waiver of First Requested)

Other Ordinances on First Reading

Ordinances on Second Reading

Resolutions

- A. [110198](#) 14 W. St. Charles Road - Downtown Retail Business Grant (tabled April 21, 2011)
Authorizing signatures of the Village President and Village Clerk on an Agreement authorizing the reimbursement of funds for a Downtown Retail Business Grant for the property located at 14 W. St. Charles Road in an amount not to exceed \$11,737.50. (DISTRICT #1)

Attachments: [bot memo.doc](#)
[coversheet.doc](#)
[DRBG participation agreement.doc](#)
[ECDCmemo.doc](#)
[R 105-11.pdf](#)
[Tax Info.pdf](#)
[110198.pdf](#)
[Masterson letter re Cabinet Depot Retail Grant.pdf](#)
[Cabinet Depot signed Agreement.pdf](#)

Mr. Stilling summarized the staff memo regarding the request. He stated that staff has recently received a request for a Downtown Retail Business Grant (DRBG) for a home improvement store to be known as Cabinet Depot located 14 W. St. Charles Road. It is important to note that the work associated with the eligible improvements, excluding signage, has already been completed. The applicant did submit the application prior to the issuance of the building permit. Furthermore, a complete application had been received prior to the issuance of the Certificate of Occupancy/Zoning Certificate. The applicant and property owner were informed that they are proceeding at their own risk as the grant request needed to go through the required process. It should also be noted that this grant request is being reviewed in accordance with the old requirements since the application was made prior to the effective date of the new program.

Mr. Stilling said that Cabinet Depot is considered a home improvement store and is a permitted use within the B5 Zoning District. The business will operate as a showroom where several display kitchens will be located within the space highlighting their products. According to the information submitted by the business owner, they will only be selling cabinets at this location. Cabinets are manufactured in China and delivered to the customer's home for installation or sometimes picked up by the customer at the business. Renovations to the tenant space include work on the existing electrical and HVAC systems as well as several new walls partitioning off display areas.

The submitted cost estimates include \$23,475 in potentially eligible build-out, signage, and rent expenditures. The applicant is eligible to receive up to \$11,737.50 from the Downtown Retail Business Grant program. According to the business plan submitted by the applicant, they anticipate gross revenues of \$432,000 in the first year of business. However, as the business did not previously exist at another location, this figure is an estimate only.

ECDC member Garrick Nielsen stated that he would be recusing himself from the discussion because he has an ownership stake in the property where Cabinet

Depot is going to be located.

Mr. Irion asked what the hours of operation were going to be. Mr. Pang stated that they would be 9am to 5pm Monday-Friday and 10am to 3pm on Saturday. He said they would be closed on Sundays.

Mr. Glazier asked if they were an independent business and if there would be any assembly. Mr. Pang responded by stating they are independent and that they do some minor assembly at the rear of the space installing hardware. He said they do not install the cabinets except for what is in their showroom.

Mr. Irion asked if they serve contractors/builders and if they charge sales tax to the contractors. Mr. Pang stated that much of their business will be with contractors and some homeowners. He said if the contractor has a sales tax ID number from the state showing they are exempt, then they will not charge sales tax to them.

Ms. Gannon asked what attracted them to the downtown. Mr. Pang stated that it was a factor of location and rent.

Village Manager Hulseberg spoke regarding the presentation given by the applicant and the owner of the property.

Trustee Ware stated the store will be a wholesale and retail store. He spoke of the store generating sales tax revenue and a three year lease on the property.

He talked about the old grant program and the new grant program and felt this should come under the old grant program. He stated he supported the request.

President Mueller stated he attended the Economic and Community Development Committee meeting. He stated he had concerns about this request.

He stated at the ECDC meeting, the owner indicated this was strictly a wholesale operation. He felt the owner was backed into a corner and has now indicated he does wholesale and retail business. He stated the Village receives no tax money from wholesale sales. He questioned the amount of sales that will be wholesale versus retail and felt that 95% of the business was wholesale. He stated the lease was signed last September or October and he felt that after the owner started the build-out, he learned of the grant program and applied for the grant. He questioned if this is the type of business that the Village wants in the downtown and felt it would not generate retail business and not generate tax dollars. He asked how the Village would get the \$11,000 back from the grant.

Trustee Gron asked if this was an existing business or a new business.

Director Heniff indicated it was new and new to Lombard.

Trustee Gron questioned sales history.

Howard Pang, 114 W. St. Charles Road, stated there was a similar type store in Glen Ellyn.

Director Heniff spoke about various stores similar to this such as Bathroom Crafters on Roosevelt Road and various home improvement stores.

Trustee Gron questioned sales and felt it was difficult to collect sales tax from contractors. He felt this was an aggressive sales history that the petitioner had submitted with the application.

Trustee Wilson questioned if the grant would be used for a build out to the building and felt if that was the case, the grant money would stay with the building. He felt with the economy it is like cars, more people are repairing their old cars and not buying new ones. He asked if contractors would send customers to the store.

Howard Pang stated this is a store for customers. He felt the contractors would pay and customers would come and look.

Trustee Giagnorio questioned if contractors would receive a contractor's price and felt if this were the case, the Village would not receive as much in tax

dollars. He asked about the size of the store and the number of displays. He questioned looking at comparable businesses.

Howard Pang stated the store is not open now and that it is about 1,800 square feet and has 4 displays as of now and hoped to get more. He stated the warehouse is open and he has revenue from sales from the warehouse. He stated this is strictly cabinets.

Trustee Giagnorio asked about competition like Menards and Home Depot.

Trustee Wilson felt that tax generated through wholesale is less than retail.

Trustee Gron felt that a contractor would have a federal tax ID number and they would not be paying taxes.

Director of Finance Tim Sexton indicated this was not an easy answer. He stated he had been a sales tax auditor. He stated most smaller contractors pay sales tax rather than have to apply for a resale certificate. Larger contractors do obtain a sales certificate. He stated contractors may sell cabinets to customers outside Lombard and then the Village would not receive that tax. He felt that generally the tax is collected.

President Mueller stated he was concerned about the "sometimes" answers and felt a shop in downtown Glen Ellyn can not be compared to a shop in Lombard. He spoke about a build-out for this particular business not being adaptable to another business. He questioned not having hardware for cabinets and spoke about building a home years ago and having to have hardware for the cabinets. He asked if the store would be required to have a sprinkler system.

Fire Chief Mike Torrence indicated no, but they would have to have a fire alarm.

President Mueller spoke about Kitchen Magician in the North Industrial Park and felt that was a good location for that business. He did not feel that this store belonged in the downtown. He felt this was an industrial use and not a retail store.

Trustee Ware felt the improvements would be considered capital improvements. He stated it was difficult to believe that over three years that \$11,700 would not be generated in sales tax.

President Mueller talked about grant money for downtown and about the grant that was given to the dog kennel shop that closed shortly after opening.

Manager Hulseberg indicated the store would need to generate \$585,000 in sales to generate \$11,000 in sales tax.

Trustee Ware moved approval of a Retail Business Grant in the amount of \$11,737.50 for the property located at 14 W. St. Charles Road, seconded by Trustee Fitzpatrick. No vote taken

Other Matters

XII. Agenda Items for Discussion

XIII Executive Session

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XIV Reconvene

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XV. Adjournment

